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July 28, 2006

## **Via ECF Filing**

The Honorable Judge E. Thomas Boyle  
United States Magistrate Judge  
U.S.D.C. - Eastern District of New York  
Long Island Courthouse  
100 Federal Plaza  
Central Islip, NY 11722-9014

Re: *Google Inc., Plaintiff/Counter-Defendant*  
*v. Richard Wolfe, Defendant/Counter-Claimant*  
Civil Action No.: 2:05-cv-01779 (TCP) (ETB)  
Our File: 38340/3

Dear Magistrate Judge Boyle:

We are new local counsel for Plaintiff/Counter-Defendant Google Inc. ("Google") in the above referenced Action. On July 21, 2006 we filed a Motion for Substitution of Counsel which seeks an Order substituting Perkins Coie LLP and Amster Rothstein & Ebenstein LLP, as lead counsel and local counsel, respectively, for Google, in place and stead of Winston & Strawn LLP. The Substitution Motion is currently pending before Judge Platt. We are also in the process of filing a Motion for Admissions *Pro Hac Vice* of Ramsey M. Al-Salam and Michael Rubin of the Perkins Coie LLP firm.

We are writing on behalf of all parties to jointly request (1) a one month extension of the current fact discovery deadline of August 15, 2006, up to and including September 15, 2006, and (2) that a status teleconference be scheduled with Your Honor as soon as possible. Robert L. Powley, Esq., counsel for Defendant/Counter-Claimant Richard Wolfe, advised us via e-mail that he joins in these two requests.

The Honorable Judge E. Thomas Boyle -2-

July 28, 2006

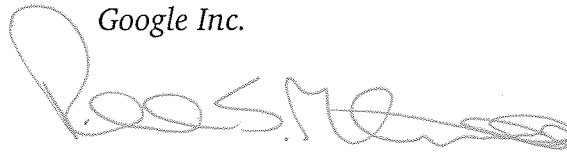
We have been advised that the parties consented to and were granted two prior extensions of fact discovery. The current request for an additional one month will not affect any other scheduled dates in this Action.

In addition, all parties would like to schedule a telephone conference with Your Honor at the Court's earliest convenience to discuss some issues relating to the overall case schedule. We would appreciate if such a call could be scheduled after 11:00 a.m. EST to accommodate Google's new lead counsel who is located on the West Coast.

Thank you for your consideration in this matter. The parties are available to discuss these issues further should the Court wish to do so.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP  
*Attorneys for Plaintiff Counter-Defendant*  
*Google Inc.*

A handwritten signature in dark ink, appearing to read 'RSM', with a large, stylized initial 'R' and a long, sweeping horizontal stroke extending to the right.

Richard S. Mandaro

RSM/ram

cc: Robert L. Powley, Esq. (*via e-mail*)  
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